

Adopted	Rejected
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COMMITTEE REPORT

YES:	10
NO:	0

MR. SPEAKER:

*Your Committee on Local Government, to which was referred House Bill 1218, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 6, line 5, after "IC 20-10.1-25-3." insert "**This subsection does**
2 **not prohibit a municipality from making meal expense advances to**
3 **a municipal employee who will be traveling on official municipal**
4 **business if the municipal fiscal body has adopted an ordinance**
5 **allowing the advance payment, specifying the maximum amount**
6 **that may be paid in advance, specifying the required invoices and**
7 **other documentation that must be submitted by the municipal**
8 **employee, and providing for reimbursement from the wages of the**
9 **municipal employee if the municipal employee does not submit the**
10 **required invoices and documentation.**"

11 Page 7, line 19, delete "The fiscal body of a unit shall approve the
12 following".

13 Page 7, line 20, delete "expenditures for each" and insert "Each".

14 Page 7, line 21, after "section" delete ":".

15 Page 7, line 21, reset in roman "shall be allowed,".

1 Page 7, line 21, after "allowed" delete "," and insert "**the**
2 **following:**".

3 Page 8, delete lines 12 through 42, begin a new paragraph and insert:

4 "**(j) A claim for reimbursement under this section may not be**
5 **denied by the body responsible for the approval of claims if the**
6 **claim complies with IC 5-11-10-1.6 and this section.**".

7 Page 9, delete lines 1 through 5.

8 Page 9, line 8, after "rate" insert ",".

9 Page 9, line 8, delete "(if".

10 Page 9, line 9, delete "the political subdivision is required by law to
11 fix the tax rate)",

12 Page 9, line 28, after "rate" insert ",".

13 Page 9, line 28, delete "(if the political subdivision".

14 Page 9, line 29, delete "is required by law to fix the tax rate)",

15 Page 10, line 5, delete "(if the political subdivision is".

16 Page 10, line 6, delete "required by law to fix the tax rate)".

17 Page 10, line 19, after "rate" insert ",".

18 Page 10, line 19, delete "(if the fiscal".

19 Page 10, line 20, delete "body is required by law to fix a tax rate)",

20 Page 10, delete lines 24 through 42.

21 Delete pages 11 through 12.

22 Page 13, delete lines 1 through 15.

23 Page 13, delete lines 31 through 42.

24 Delete page 14.

25 Page 15, delete lines 1 through 2.

26 Page 15, between lines 30 and 31, begin a new paragraph and insert:

27 "**SECTION 15. IC 8-22-3.5-9 IS AMENDED TO READ AS**
28 **FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 9. (a) As used in this**
29 **section, "base assessed value" means:**

30 (1) the net assessed value of all the tangible property as finally
31 determined for the assessment date immediately preceding the
32 effective date of the allocation provision of the commission's
33 resolution adopted under section 5 of this chapter,
34 **notwithstanding the date of the final action taken under**
35 **section 6 of this chapter; plus**

36 (2) to the extent it is not included in subdivision (1), the net
37 assessed value of property that is assessed as residential property
38 under the rules of the department of local government finance, as

1 finally determined for any assessment date after the effective date
2 of the allocation provision.

3 However, subdivision (2) applies only to an airport development zone
4 established after June 30, 1997, and the portion of an airport
5 development zone established before June 30, 1997, that is added to an
6 existing airport development zone.

7 (b) Except in a county described in section 1(5) of this chapter, a
8 resolution adopted under section 5 of this chapter and confirmed under
9 section 6 of this chapter must include a provision with respect to the
10 allocation and distribution of property taxes for the purposes and in the
11 manner provided in this section.

12 (c) The allocation provision must:

- 13 (1) apply to the entire airport development zone; and
- 14 (2) require that any property tax on taxable tangible property
- 15 subsequently levied by or for the benefit of any public body
- 16 entitled to a distribution of property taxes in the airport
- 17 development zone be allocated and distributed as provided in
- 18 subsections (d) and (e).

19 (d) Except in a county described in section 1(5) of this chapter, and
20 as otherwise provided in this section, the proceeds of the taxes
21 attributable to the lesser of:

- 22 (1) the assessed value of the tangible property for the assessment
- 23 date with respect to which the allocation and distribution is made;
- 24 or
- 25 (2) the base assessed value;

26 shall be allocated and, when collected, paid into the funds of the
27 respective taxing units.

28 (e) Except in a county described in section 1(5) of this chapter, all
29 of the property tax proceeds in excess of those described in subsection
30 (d) shall be allocated to the eligible entity for the airport development
31 zone and, when collected, paid into special funds as follows:

- 32 (1) The commission may determine that a portion of tax proceeds
- 33 shall be allocated to a training grant fund to be expended by the
- 34 commission without appropriation solely for the purpose of
- 35 reimbursing training expenses incurred by public or private
- 36 entities in the training of employees for the qualified airport
- 37 development project.

38 (2) ~~Except as provided in subsection (f), all remaining~~ **The**

commission may determine that a portion of tax proceeds shall be allocated to a debt service fund and dedicated to the payment of principal and interest on revenue bonds of the airport authority for a qualified airport development project or to the payment of leases for a qualified airport development project.

(3) Except as provided in subsection (f), all remaining tax proceeds after allocations are made under subdivisions (1) and (2) shall be allocated to a project fund and dedicated to the reimbursement of expenditures made by the commission for a qualified airport development project that is in the airport development zone or is serving the airport development zone.

(f) Except in a county described in section 1(5) of this chapter, if the tax proceeds allocated to the ~~debt service project~~ fund in subsection (e)(3) exceed the amount necessary to

~~(1) pay principal and interest on airport authority revenue bonds;~~

~~(2) pay lease rentals on leases of a qualified airport development project; or~~

~~(3) create, maintain, or restore a reserve for airport authority revenue bonds or for lease rentals or leases of a qualified airport development project;~~

satisfy amounts required under subsection (e), the excess in the project fund over that amount shall be paid to the respective taxing units in the manner prescribed by subsection (d).

(g) Except in a county described in section 1(5) of this chapter, when money in the debt service fund **and in the project fund** is sufficient to pay all outstanding principal and interest (to the earliest date on which the obligations can be redeemed) on revenue bonds issued by the airport authority for the financing of qualified airport development projects, ~~and~~ all lease rentals payable on leases of qualified airport development projects, **and all costs and expenditures associated with all qualified airport development projects**, money in the debt service fund **and in the project fund** in excess of ~~that amount~~ **those amounts** shall be paid to the respective taxing units in the manner prescribed by subsection (d).

(h) Except in a county described in section 1(5) of this chapter, property tax proceeds allocable to the debt service fund under subsection (e)(2) must, subject to subsection (g), be irrevocably pledged by the eligible entity for the purpose set forth in subsection (e)(2).

(i) Except in a county described in section 1(5) of this chapter, and notwithstanding any other law, each assessor shall, upon petition of the commission, reassess the taxable tangible property situated upon or in, or added to, the airport development zone effective on the next assessment date after the petition.

(j) Except in a county described in section 1(5) of this chapter, and notwithstanding any other law, the assessed value of all taxable tangible property in the airport development zone, for purposes of tax limitation, property tax replacement, and formulation of the budget, tax rate, and tax levy for each political subdivision in which the property is located is the lesser of:

(1) the assessed value of the tangible property as valued without regard to this section; or

(2) the base assessed value."

Page 22, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 28. IC 36-2-5-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005 (RETROACTIVE)]:

Sec. 13. **(a) Except as provided in subsection (b),** the compensation of an elected county officer may not be changed in the year for which it is fixed. The compensation of other county officers, deputies, and employees or the number of each may be changed at any time on:

(1) the application of the county fiscal body or the affected officer, department, commission, or agency; and

(2) a majority vote of the county fiscal body.

(b) In the year in which a newly elected county officer takes office, the county fiscal body may at any time change the compensation for holding the county office for that year if:

(1) the county officer requests the compensation change or, in the case of the county executive body, a majority of the county executive body requests the change; and

(2) the county fiscal body votes to approve the change."

Page 24, delete lines 21 through 32.

Page 25, delete lines 9 through 24.

Page 25, delete lines 33 through 42.

Page 26, delete lines 1 through 24.

Page 28, line 6, after "revenue" delete "and".

Page 28, line 6, after "statements" delete ".".

Page 28, line 6, reset in roman "and the proposed".

- 1 Page 28, reset in roman line 7.
- 2 Page 31, delete lines 8 through 42.
- 3 Delete pages 32 through 33.
- 4 Page 34, delete lines 1 through 6.
- 5 Page 35, after line 6, begin a new paragraph and insert:
- 6 "SECTION 41. **An emergency is declared for this act.**".
- 7 Renumber all SECTIONS consecutively.
(Reference is to HB 1218 as introduced.)

and when so amended that said bill do pass.

Representative Saunders